

Item #	Commissioner	Issue	References	Staff Comment	Commission Action
1.	Ruedisueli	Roadways: New sub-divisions seem to have exceptionally wide road profiles relative to those of the existing gravel roads. This seems unnatural and intrusive. Private roads in new subdivisions ought to have enough available ROW for installation of future improvements, but should not be required to be built significantly beyond the standards of the roads onto which they feed.	Facilities Standards Manual.	These concerns are shared by staff. VDOT standards must be used for public roads. Allowing private roads to serve up to 25 lots should address this concern.	
2.	Ruedisueli	Septic Systems: Private septic systems should only be constructed on individual private lots. Where septic systems cannot be constructed on private lots there should be communal systems. I feel it is very poor public policy to permit individual systems to be constructed off site: owners, unaware of failures in their own systems will not perform needed maintenance. The result will be a significant public health hazard.	Zoning Ordinance Sections 2-103(C)(9)(b)(i) & 2-157; 2-203(C)(9)(b)(i) & 2-257; Also, LSDO, Codified Ordinance, Code of Virginia	The Health Department will be present at the Planning Commission's February 6 meeting.	
3.	Ruedisueli	Cluster Size: Cluster sizes should therefore be dictated by whatever the case requires. For example, 400 acres in the AR-1 district will have more useable open space if there are 40 houses in a single cluster than if we have two clusters separated by an arbitrary(?) distance of 500 feet. However, having two or more clusters might be a better use of the ground (due to topography,	Zoning Ordinance Previous: §§5-701(C)(3)(9)iii & 5-703(C)(1)(a) Proposed: §§2-103(c)(3)(A), 2-203(c)(3)(A); 2-154(a)(2)	Please see memorandum from Department of Planning to Melinda Artman dated 1/30/06.	

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		forest cover, soil conditions, or whatever).	& 2-254(a)(2). <u>Revised General Plan</u> Policy 1a, p. 11-6		
4.	Ruedisueli	Lot Size: There should be no minimum lot size when homes are in clusters. Again, if the goal is to preserve open space, why establish minimum lot sizes? Let the necessities of the site dictate the lot sizes. Wells, for example, could end up determining various lot sizes in a cluster subdivision.	Zoning Ordinance	Staff concurs with this comment. However, the Board of Supervisors feels very strongly that lots should be large enough to accommodate on-site well and septic systems and smaller lots create a suburban-type subdivision, which is inappropriate in the rural area.	
5.	Ruedisueli	For Cluster Subdivisions Common Open Space Yards should be able to include certain structures that must of necessity be close to a road, for example a school bus stop shelter, or mailbox shelter.	2-103(C)(7), & 2-155 2-203(C)(7) & 2-255	Mailboxes are typically exempt from zoning ordinance regulations. 5-100 Accessory uses, allows bus shelters and 5-200 deals with permitted encroachments. Ideally 5-200 would be amended to allow bus shelters. Language could be drafted in 2-103 and 2-155 to deal with this issue.	
6.	Ruedisueli	Clerical numeration error section (9) is repeated and (10) is omitted.	2-103(C)(9)	This error has been corrected in the January 24, 2006 draft. (page A-85)	
7.	Ruedisueli	Seems like another clerical error: all of (1) is deleted, leaving only (2), and the description, "Size of Use" seems inappropriate now.	5-645(B)	The draft will be corrected (A-321)	
8.	Ruedisueli	Is "circumnavigate" a term of art? It seems a peculiar choice to apply an active verb to landscape elements, unless, of course, the landscape is mobile. Would "surround" or	5-653(A)(1)	Staff concurs that "surround" should replace "circumnavigate".	

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		some other word be better? Or am I misunderstanding the intention?			
9.	Ruedisueli	Explain the use of “permitted” which replaces specific roadway widths.	Table 5-654	The word permitted means “allowed without regard to roadway width.”	
10.	Ruedisueli	Will A-3 and A-10 districts still exist, and will the “Rural Hamlet” still be an option?	§§2-400 and 2-500 et seq.	Yes, these districts will still exist and the hamlet will be an option within these districts.	
11.	Ruedisueli	“Promulgate” seems a poor word choice, if you mean “promote”, or perhaps “standardize”, or “establish”. If not, what is the word supposed to mean here?	5-1301	This particular section is not being proposed for amendment and has been written this way since 1993. The purpose section could read “The purpose and intent of this Section is to put into effect by formal public announcement [promulgate] regulations for the planting and replacement of trees...”	
12.	Herbert	Unreasonably burdensome regulations; unnecessary complexity; limits on the sizes of clusters; minimum lot sizes, the absence of principles for establishing where the priorities for development in the rural areas should be; no provision for density transfers to achieve reasonable priorities; unnecessarily inadequate environmental protection; the absence of a connection between the development of land use and the transportation system; and inconsistencies among sub-sections.		Specifics would be very helpful. With regard to “the absence of principles for establishing where the priorities for development in the rural areas should be; no provision for density transfers to achieve reasonable priorities; unnecessarily inadequate environmental protection; the absence of a connection between the development of land use and the transportation system”, these issues are beyond the scope of the intent to amend and the advertisement. These issues should be “binned” and addressed at a later time.	

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13.	Klancher	General road issue. How do we address the issue of 'drive-thru' people from adjacent jurisdictions?		This issue is beyond the scope of the intent to amend. This issue should be binned and addressed at a later time. This issue will be addressed in the forthcoming CPAM for the CTP.	
14.	Klancher	What is the rationale for the 25 house limit in clusters?	2-103(C)(3)(a) & 2-203(C)(3)(a) <u>Revised General Plan</u> Policy 1a, p. 11-6	Please see memorandum from Department of Planning dated 1/30/06. Part of the Board direction was to "keep it simple" and prepare the amendment expeditiously. Previous regulation was retained to the extent that it comported with the Board direction. Please see memorandum dated 1/30/06 from Department of Planning .	
15.	Klancher	Review of Capital Facilities matrix. How do we address capital facilities in the west? Road dollars should be higher than \$5000 now in use.	<u>Revised General Plan</u> Policy 1 & 2, p. 11-1	Please see memorandum dated 1/30/06 from Department of Planning .	
16.	Klancher	Septic systems/communal systems- how do these work and how can we draft policies and guidelines that require that they work? New buyers may not know how to operate/maintain. Need LCSA to discuss. Health Department provided BOS with presentation.		Representatives from the Health Department and B&D will be at the PC meeting on 2/6/06 to discuss this issue.	
17.	Klancher	For temporary events, increase the minimums from 10 to at least 15 and lose the 30 day spacing rule. This allows for weddings in the spring and fall, with slower time between.		Please see staff issues paper forthcoming. The temporary events section is not the appropriate section to regulate weddings that recur regularly at a single location.	

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18.	Klancher	Why do we have archaeological studies and what is done with the information?		There is nothing in the proposed amendments that require archaeological studies. Please see memorandum dated 1/30/06 from Department of Planning .	
19.	Klancher	Private access roads. Was 7 lots, then 25 lots now some discussion to go back to 7. Keep at 25.		Prior to 2003 only family subdivisions were permitted to serve up to seven lots by private access easements. This standard is contained in the FSM. The Zoning Ordinance contained a provision for hamlet subdivisions, where up to 25 lots may be served by private access easements upon approval of the planning commission. From 2003 to 2005 the Zoning Ordinance simplified private access easements, eliminating the need to apply to the Planning Commission to serve 25 lots in cluster subdivisions. If a property owner had applied to create a subdivision at the base density, public road frontage would have been required OR would have been allowed to serve up to seven lots in the family subdivision. The proposed text simply carries these requirements forward: creation of base density lots (20 acres in AR-1; 50 in AR-2) requires the provision of frontage along a public road AND allows access via a private access road up to seven lots. The principal subordinate and cluster options allow private access easements to serve up to 25 lots “by-right”. The proposed change is consistent with the administration of the prior amendments. If the Commission wishes to increase the number of	

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				lots served by private access easements, staff has a public safety concern about the length of a private access easement serving 500 acres in AR-1 and 1250 acres in AR-2.	
20.	Klancher	Clarify whether the proposed LSDO amendment will add expense to family subdivisions and simple one lot subdivisions. Please have someone from the Health Department come and provide a briefing.		The proposed amendment will not add any expense to Family Subdivisions. Family Subdivisions will continue to be exempt from requirements associated with well drilling and construction plan and bonding approvals related to private access easement roads. The amendment as drafted would increase costs with simple 1 lot subdivisions. Wells would be required prior to final plat approval, and it served by a private access easement road such road would require construction plans and bonding.	
21.	Klancher	Eliminate the open space easement in the zoning ordinance to allow flexible placement of structures on large lots. Maintaining the 8% lot coverage requirement will protect the amount of open space.		Please provide a citation. Staff is unaware of a zoning ordinance requirement to provide an easement in the current draft.	
22.	Klancher	Provide a density credit for major floodplain in the zoning ordinance.	§4-1511	This requires deleting the referenced provision. This item was not advertised. This issue should be binned and addressed at another time.	
23.	Klancher	Do we have a copy of the revised checklist for rezonings?		A draft has been prepared and will be forwarded to the Commission for discussion. Please see memorandum dated 1/30/06 from Department of Planning .	

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24.	Klancher	LSDO Where are sections 2-103 B.7 and 2-159 which required a disclosure letter.		Municipalities lack the enabling authority from the Commonwealth to require this type of disclosure.	
25.	Klancher	Discuss a buffer around towns with JLMA's and provide buffers.		This issue is beyond the scope of the intent to amend. This issue should be binned and addressed at another time.	
26.	Klancher	How do we handle small landowners?		Small landowners are entitled to use their property for any permitted/special exception use within the zoning district as long as they meet setbacks and certain other Ordinance provisions. See Artman memo to BOS dated June 1, 2005.	
27.	Klancher	Increase 8% lot coverage to 15% for schools.		This issue was not advertised and should be binned and addressed at another time.	
28.	Klancher	Do we have data to support the changes?		Yes. The proposed changes are all part of an on-going comprehensive Countywide remapping and are being undertaken in response to the Supreme Court's ruling. The data (studies) to support the comprehensive Countywide remapping is available in the Planning Department for review.	

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29.	Elgin	Future road widening of the major highways in Loudoun? In particular, Rt. 7 west of Leesburg to the Clarke County line, Rt. 15 both south of Leesburg to the Prince William line and north of Leesburg to the bridge over the Potomac at Point of Rocks, Rt. 50 west to the county line, and finally Rt. 9 from Clarks Gap to the West Virginia line. In addition, I would think that some consideration should also be given to both: Rt. 671 from Rt. 9 to Rt. 340, and Rt. 287 from Rt. 7 to the bridge over the Potomac at Brunswick.		These issues will be addressed in the near future with a CPAM for the CTP. As mentioned at the PC briefing, this issue is beyond the scope of the amendments and was not advertised. As such the issue should be binned and addressed at another time.	